

Application No. 09/637,764

as being based upon a defective reissue declaration. A new set of Reissue declarations are being submitted herewith, each declaration being signed by each of the inventors of the above-referenced Reissue application. In the declarations being submitted herewith, the error relied upon is that none of the claims in U.S. Patent No. 5,791,442 (the "'422 Patent") are directed to a rock bit comprising a cutting cone having a number of teeth which include a hard facing comprising spherical cast tungsten carbide particles having a particle size less than 40 mesh without also limiting such tungsten carbide particle size to a range to about 16 mesh. In other words, none of the claims in the '422 Patent require a hard facing comprising spherical cast tungsten carbide particles which have a particle size less than 40 mesh without requiring that such particle size^d in a range between about 16 to 40 mesh. Thus, applicant submits that the declarations being submitted herewith are not defective, thereby mooting the rejections to claims 1-38.

The rejections to all claims pending in this application are believed to have been overcome and this applicant is now believed to be in condition for allowance. Should the Examiner have any remaining questions or concerns about the allowability of this applicant^{tion}, he is kindly requested to call the undersigned attorney to discuss them.

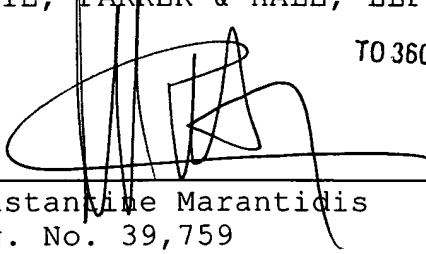
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Respectfully submitted,
CHRISTIE, PARKER & HALE, LLP

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